

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR TOWN COMMONS MLU II (LGA 2004-00036) PRIVATELY INITIATED AMENDMENT, MODIFYING PAGE 85 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 40 ACRES, GENERALLY LOCATED ON THE NORTHEAST CORNER OF HYPOLUXO ROAD AND LYONS ROAD, TO AMEND ADOPTED LAND USE MATRIX IN ORDINANCE 98-59, REDUCING ACREAGE AND SQUARE FOOTAGE FOR COMMERCIAL HIGH-OFFICE (CH-O) AND INCREASING ACREAGE FOR LOW RESIDENTIAL, 2 UNITS PER ACRE (LR-2) WITH CONDITIONS; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 18 & 25 and July 9, 2004 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 19, 2004 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on November 17, 2004 the Department of Community Affairs "Objections, Recommendations, and

1 Comments Report," dated November 15, 2004, which was the Department's
2 written review of the proposed Comprehensive Plan amendments; and

3 **WHEREAS**, the written comments submitted by the Department of
4 Community Affairs contained no objections to the amendments contained
5 in this ordinance;

6 **WHEREAS**, on December 13, 2004 the Palm Beach County Board of
7 County Commissioners held a public hearing to review the written
8 comments submitted by the Department of Community Affairs and to
9 consider adoption of the amendments; and

10 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
11 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

12 **Part I. Amendments to the 1989 Comprehensive Plan**

13 Amendments to the text of the following Element of the 1989
14 Comprehensive Plan are hereby adopted and attached to this Ordinance
15 in Exhibit 1:

16 **A. Future Land Use Atlas page 85 is amended as follows:**

17 **Application No.:** **Town Commons MLU II (LGA 2004-00036)**

18 **Amendment:** Amend the land use matrix as adopted in
19
20 Ordinance 98-59, reducing acreage and
21 square footage for Commercial High - Office
22 (CH-O) and increasing acreage for Low
23 Residential, 2 units per acre as shown
24 below:

Land Use	Acreage Min. - Max.	Intensity/Density Min. Max.	
Commercial High (CH)	14.3	N/A	94,900 s.f.
Commercial High- Office (CH-O)	2.7 - 3.3	24,000 s.f.	30,000 s.f.
Low Residential, 2 units per acre (LR- 2)	10.8 - 13.2	60 units	80 units
Open Space	5.0 - no max*	N/A	N/A
Lake Tracts	3.0 - 5.0	N/A	N/A
Total	40	N/A	N/A

*A minimum of 4 acres must be utilized for open space. These four acres shall not be applied to the recreation and/or parks requirements or any other required dedication of land. Water retention, lakes, drainage, and canals shall not be considered usable open space.

General Location: Northeast corner of Hypoluxo Road and Lyons
Road;

Size: Approximately 40 acres;

Conditions: This site is subject to the following conditions:

1. Development of the site shall comply with the Conceptual Master Plan.
2. The height of the buildings on the Commercial High Office portion of the site is limited to a maximum of 35 feet at eave.
3. Development of the site shall comply with the Design Guidelines and Standards for Future Development.
4. All structures requiring a building permit, having frontage on the Pedestrian Oriented Zone, as depicted on the adopted Conceptual Master Plan, shall be subject to the Planning Division's review for consistency with the Design Guidelines.
5. Prior to any DRO certification, architectural elevations for all frontages abutting the Pedestrian Oriented Zone, as depicted on the Conceptual Master Plan, shall be submitted for review to ensure consistency with the intent of the Design Guidelines.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is

1 applicable. No development orders, development permits, or land uses
2 dependent on this amendment may be issued or commence before it has
3 become effective. If a final order of noncompliance is issued by the
4 Administration Commission, this amendment may nevertheless be made
5 effective by adoption of a resolution affirming its effective status,
6 a copy of which resolution shall be sent to the Florida Department of
7 Community Affairs, Division of Community Planning, Plan Processing
8 Team. An adopted amendment whose effective date is delayed by law
9 shall be considered part of the adopted plan until determined to be
10 not in compliance by final order of the Administration Commission.
11 Then, it shall no longer be part of the adopted plan unless the local
12 government adopts a resolution affirming its effectiveness in the
13 manner provided by law.

14 APPROVED AND ADOPTED by the Board of County Commissioners of
15 Palm Beach County, on the 13 day of December, 2004.

16 ATTEST:
17 DOROTHY H. WILKEN, Clerk

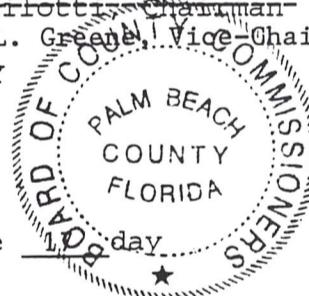
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

20 By: Donna C. Wilken By Addie Greene
21 Deputy Clerk

22 Tony Masiolotti, Chairman
Addie L. Greene, Vice-Chair

23 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

24 John B. Ols
25 COUNTY ATTORNEY



26 Filed with the Department of State on the 13 day
27 of December, 2004.

28 T:\Planning\AMEND\04-2\admin\bccadopt\Ordinances\Town Commons.doc

EXHIBIT 1

Amendment No.: Town Commons MLU (LGA 2004-00036)

FLUA Page No.: 85

Amendment: Reduce acreage and square footage for CH-O and increase acreage for LR-2

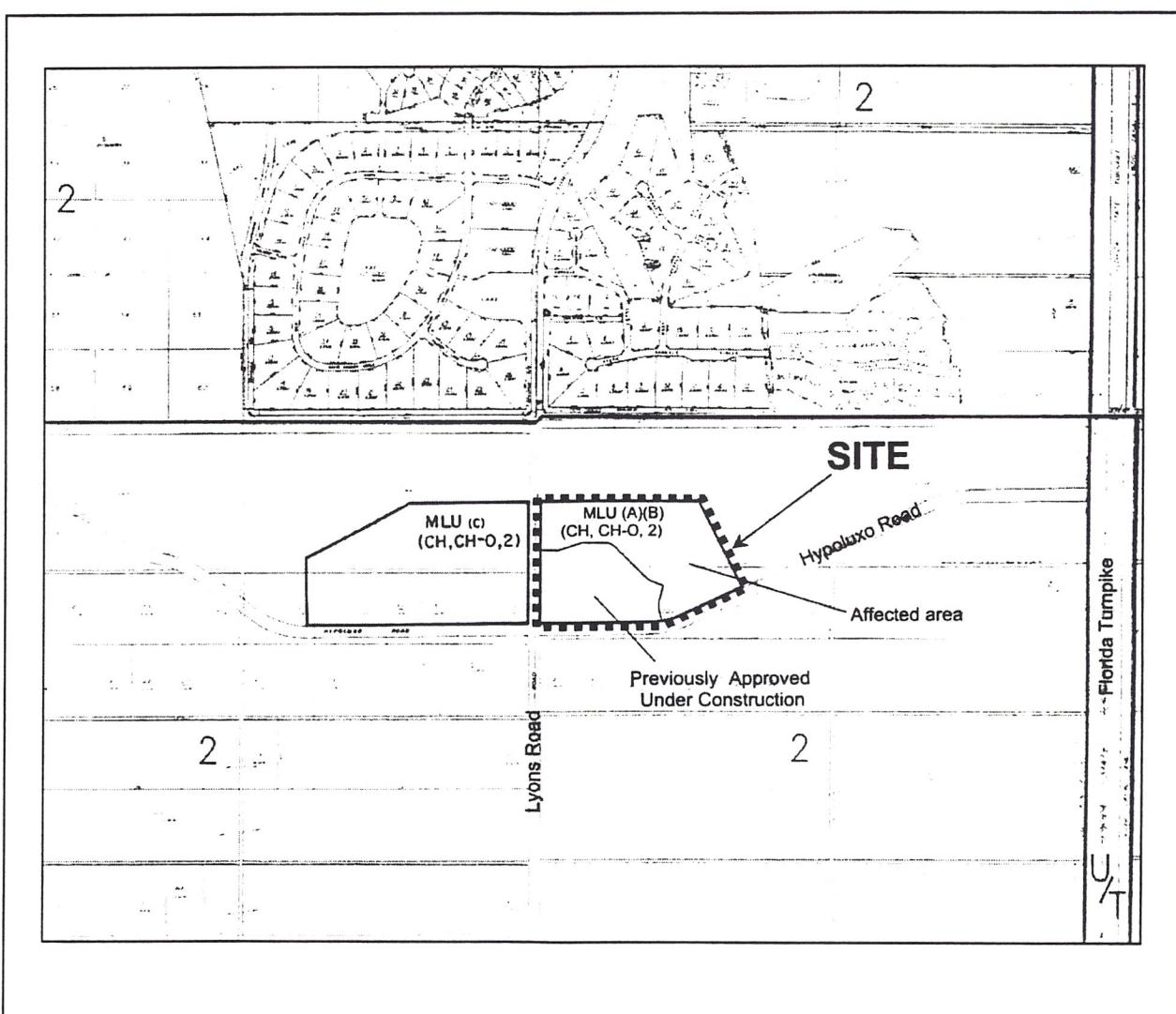
Location: Northeast corner of Hypoluxo Road and Lyons Road

Size: Approximately 40 acres

Property No.: 00-42-43-27-05-042-0141 & 00-42-43-27-05-042-0142

Conditions:

1. Development of the site shall comply with the Conceptual Master Plan.
2. The height of the buildings on the Commercial High Office portion of the site is limited to a maximum of 35 feet at eave.
3. Development of the site shall comply with the Design Guidelines and Standards for Future Development.
4. All structures requiring a building permit, having frontage on the Pedestrian Oriented Zone, as depicted on the adopted Conceptual Master Plan, shall be subject to the Planning Division's review for consistency with the Design Guidelines.
5. Prior to any DRO certification, architectural elevations for all frontages abutting the Pedestrian Oriented Zone, as depicted on the Conceptual Master Plan, shall be submitted for review to ensure consistency with the intent of the Design Guidelines.



LEGAL DESCRIPTION:

All of the plat of Town Commons – Plat One, according to the map or plat thereof as recorded in Plat Book 99, page 68, public records of Palm Beach County, Florida, more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF GREENBRIAR I OF SHERBROOKE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 33, PAGES 55 THROUGH 57, INCLUSIVE, PUBLIC RECORDS PALM BEACH COUNTY, FLORIDA; THENCE, SOUTH 89°26'07" WEST, ALONG THE SOUTH LINE OF SAID PLAT OF GREENBRIAR I OF SHERBOROOKE, AND ITS WESTERLY PROLONGATION, A DISTANCE OF 2093.11 FEET THENCE, SOUTH 00°33'53" EAST, A DISTANCE OF 725.61 FEET, FOR A POINT OF BEGINNING;

THENCE, CONTINUE SOUTH 00°33'53" EAST, A DISTANCE OF 530.50 FEET; THENCE, SOUTH 01°49'30" EAST, A DISTANCE OF 250.06 FEET; THENCE, SOUTH 00°33'53" EAST, A DISTANCE OF 289.00 FEET THENCE, SOUTH 45°33'53" EAST, A DISTANCE OF 56.57 FEET; THENCE, NORTH 89°26'07"EAST, A DISTANCE OF 300.00 FEET; THENCE, SOUTH 86°47'19"EAST, A DISTANCE OF 250.54 FEET; THENCE, NORTH 89°26'07"EAST, A DISTANCE OF 325.80 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1370.00 FEET; THENCE, EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°37'51", A DISTANCE OF 851.97 FEET TO THE POINT OF TANGENCY; THENCE NORTH 53°48'16" EAST, A DISTANCE OF 151.50 FEET; THENCE NORTH 36°11'44" WEST, A DISTANCE OF 961.21 FEET; THENCE SOUTH 89°26'07" WEST, A DISTANCE OF 1282.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 40.00 ACRES MORE OR LESS.

EXHIBIT 2

CONCEPTUAL SITE PLAN

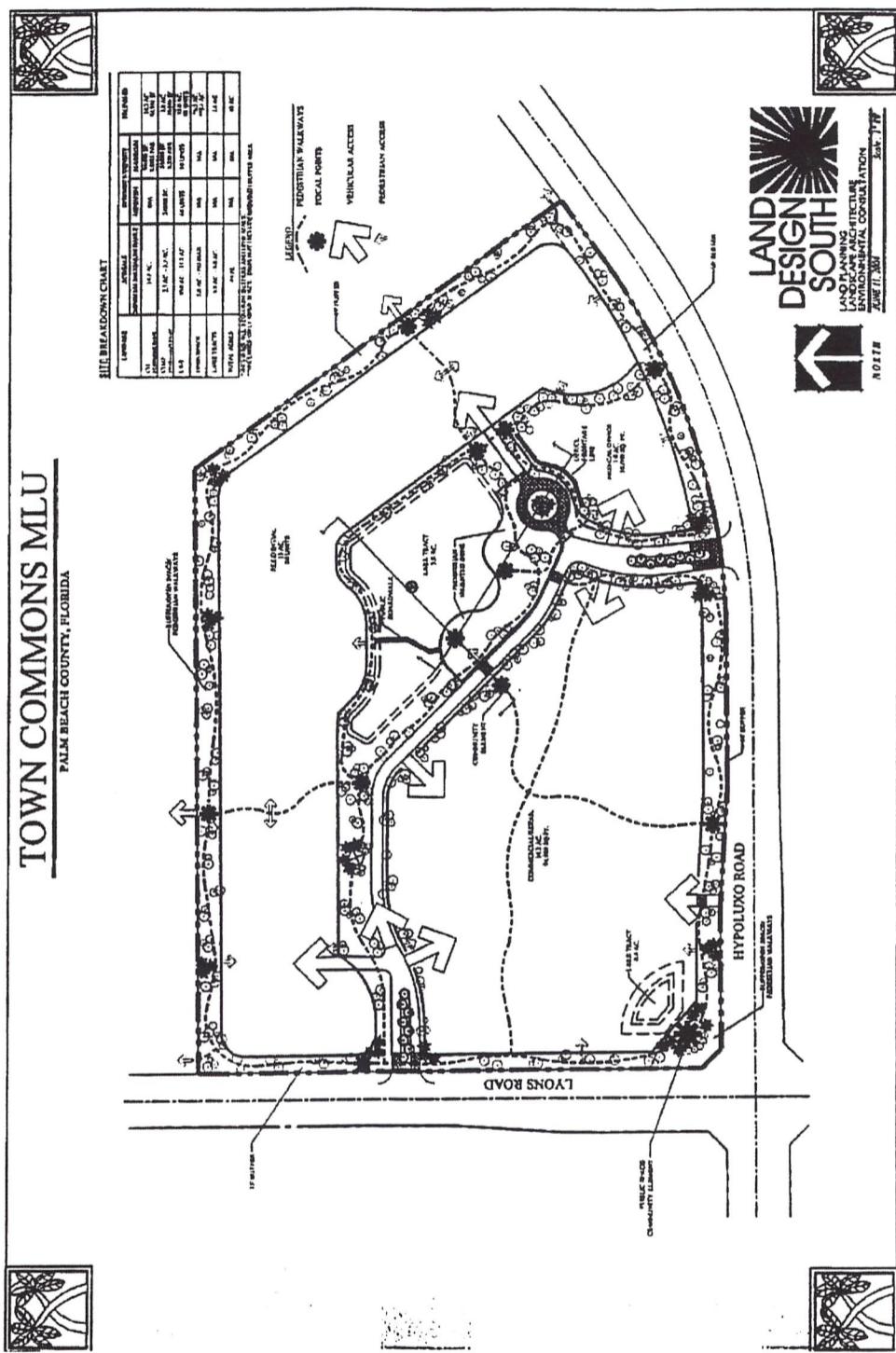


EXHIBIT 3

REVISED DESIGN GUIDELINES

Town Commons

Design Guidelines & Standards For Future Development

Multiple Land Use ~~Large Scale/Multiple Use~~ Overlay Land Use Designation Palm Beach County, Florida

**June 11, 2004
~~November 9, 1998~~**

Application by:
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PURPOSE

These guidelines will serve as a tool for present and future property owners, enabling them to create a multiple use project to be known as Town Commons with unity and order. Furthermore, these guidelines are intended to ensure a compatible integration of residential, commercial, professional, business and medical offices, and recreation land uses internally within the project through visual cohesiveness.

These guidelines seek to help promote development of this project as an economic activity center, workplace/employment center, provide live/work opportunities, and create a community gathering place. In essence, this will help to create a "Town Center" which will serve the surrounding areas. Town Commons will provide a community serving purpose to current and future residents and businesses.

LIMITING CONDITIONS

In addition to the Design Guidelines and Standards for Development manual, all construction, development and other activities on the property are subject to the Palm Beach County Unified Land Development Code as well as all other governmental laws, rules and regulations and agreements which are applicable to the property (collectively, "Governmental Regulations"). In the event of a conflict between the design guidelines and the governmental regulations, the more restrictive requirement shall prevail.

SECTION 1: LOCATION AND OBJECTIVES

Location:

The Town Commons property is approximately 40 acres in size and is located on the northeast corner of the future intersection of the Hypoluxo and Lyons Road extensions. It is surrounded on the north and east sides by the Villages of Windsor PUD, a 1,000-unit residential development. The Villages of Windsor PUD also extends on the south side of the Hypoluxo Road extension. The parcel to the west is undeveloped. Further west is the Town Park Country Club PUD.

If approved under this designation, a large scale multiple use town center, to be known as Town Commons, would be created. It would consist of the elements described in the schedule on the following page, and would serve the current and

future residents of this fast growing section of Palm Beach County. A mix of uses is proposed, those found in a typical community serving town center. The uses have been designed to create an integrated mixed use development, complimenting each other in function and design.

Town Commons Mix of Uses

Data Tabular

	Acreage	Requirements
Commercial/Retail	14.3 ac.	94,900 s.f. Max. Bldg. Area
Medical Office*	6.8 ac.	96,390 s.f. Max. Bldg. Area
Professional & Business Office	4.0 ac.	55,000 s.f. Max. Bldg. Area
Residential	8.0 ac.	80 multi family units
Recreation	2.0 ac.	
Lake Tract	4.9 ac.	

Approximately 4.2 acres of usable open space has been incorporated into the project's design.

Note: The development program shown above is conceptual. It is included to represent the maximum intensity requested under the Palm Beach County Large Scale/Multiple Use Overlay Land Use Designation.

* Medical office may be converted to professional or business office subject to a concurrency equivalency.

Land Use	Acreage	Intensity/Density		Proposed
	minimum - maximum range	minimum	maximum	
CH (Commercial/Retail)	14.3 ac.	N/A	94,900 SF 0.1523 FAR	14.3 ac. 94,900 SF
CH-O (Medical Office)*	2.7 ac. – 3.3 ac.	24,000 SF	30,000 SF 0.230 FAR	2.7 ac. 27,600 SF
LR-2	10.8 ac. – 13.2 ac.	60 units	80 units	12.65 ac. 80 units
Open Space	5.0 ac. - no max.	N/A	N/A	*6.75 ac. **4.03 ac.
Lake Tracts	3.0 ac. – 5.0 ac.	N/A	N/A	3.6ac.
Total Acres	40.0 ac	N/A	N/A	40.0 ac

*INCLUDES ALL REQUIRED BUFFERS AND OPEN SPACE.

**INCLUDES ONLY OPEN SPACE. DOES NOT INCLUDE REQUIRED BUFFER AREA.

Note: The development program shown above is conceptual. It is included to represent the maximum intensity requested under the Palm Beach County Multiple Land Use Overlay Designation.

* Medical office may be converted to professional or business office subject to a concurrency equivalency.

Objectives:

1. To provide direction for compatible integration of residential, commercial office and recreational land uses into a unified large scale multiple use development.
2. Provide guidelines for the enhancement and beautification of landscaping, architecture, signage, and site development over and above the standards set by Palm Beach County, Florida.
3. To further the goals of the West Boynton Area Plan.
4. Provide guidelines for the entrance progression into all properties.
5. Provide for the protection of property values for existing and future residents and land owners.
6. Provide a streetscape theme to give coherence and consistency throughout the project.

7. Provide a planning tool for the design and development of the properties to be used by the owners, developers and related professionals.
8. Provide guidelines to assist in the protection and health, safety and welfare of the public.

SECTION 2: COMPATIBLE INTEGRATION OF RESIDENTIAL, COMMERCIAL, OFFICE AND RECREATIONAL LAND USES

Commercial uses in Town Commons shall be located along major arterial roads. Residential land uses shall be located towards the interior but within 500' of commercial, office, residential, and recreational land uses.

A 14.3 acre commercial/retail parcel is proposed in the southwestern portion of the site. This commercial/retail pod is located at the intersection of Hypoluxo and Lyons Road. This is a prudent location for the commercial use adjacent to two major arterial roadways, and located at a special intersection. The size of the commercial/retail pod is community serving, and will include commercial uses to directly serve the immediately surrounding communities. A community element shall be incorporated at the intersection. This community element could be a clock tower, a trellis structure, sculpture, etc., and will serve to create an identity for the Town Commons project.

A ~~6.8~~ 2.7 acre medical/professional office parcel is proposed for the balance of the east of the commercial high retail area along the Hypoluxo Road frontage. This parcel will provide employment opportunities and community serving medical/professional office uses. A main entry shared by both the commercial/retail parcel and the medical office parcel, and also providing access to the residential parcel, is centrally located along the Hypoluxo Road frontage. A secondary access to Hypoluxo Road is proposed at the eastern limits of the site.

~~A professional and business office parcel of 4.0 acres in size is proposed for the balance of the Lyons Road frontage. Again, this parcel will provide employment opportunities and community serving professional and business office space, allowing for residents of the Town Commons project, as well as adjacent projects, to potentially live and work in the same area. A main access centrally located on Lyons Road will also provide access to both the commercial/retail parcel and professional and business office parcel. A secondary access point on the northern limits of the project will provide access to the professional and business office parcel, as well as the residential parcel.~~

The residential parcel is located in the northeast portion along the northern and eastern boundaries of the site. It is ~~8.0~~ 12.65 acres in size and is adjacent to a multi-family residential zero-lot-line parcel within the Villages of Windsor PUD. It is anticipated that this parcel will develop with a multi-family and or single-family detached unit. ~~A majority of the~~ The parcel abuts the proposed lake tract which will serve as the water management tract for the entire site.

A comprehensive pedestrian access system has been incorporated within the Town Commons project. This pedestrian system is in most cases separate from the vehicular access system. Also, smaller community elements, or nodes, are incorporated along the pedestrian access system. These shall be developed as trellis covered seating areas, plazas, etc., to provide additional open space elements for residents, tenants, and patrons, or utilized as transit stops. These are specifically defined in Section 6.

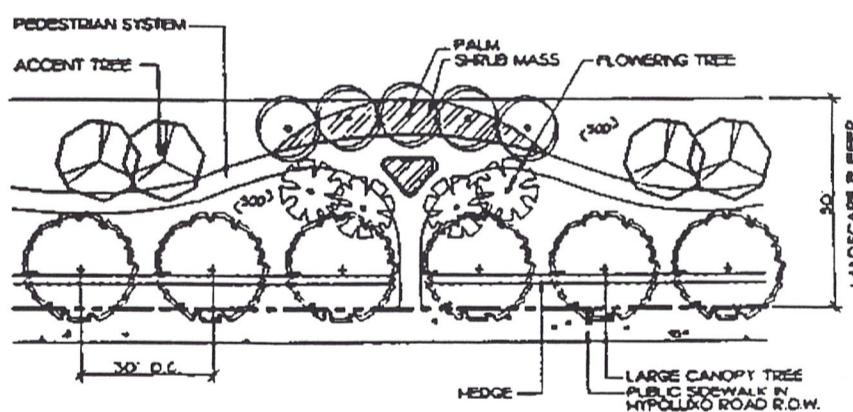
SECTION 3: LANDSCAPE PROGRAM

A. Hypoluxo Road Extension Buffer

The Hypoluxo Road extension shall be integrated as part of the entrance procession. The landscaping and design of the streetscape/buffer areas will leave a strong impression of the character and quality of the development it represents.

The streetscape/buffer along the Hypoluxo Road extension shall be a minimum of 50 feet in width and landscaped in accordance with the Palm Beach County guidelines, the West Boynton Area Plan, as well as Figure 3.A. below. While detailed landscape working drawings have not been prepared for this area, certain general guidelines have been developed.

- Canopy trees shall be provided adjacent to the road, spaced a maximum of 30' on center, in a formal style.
- Palms, accent trees, and flowering trees shall be incorporated into the design behind the formal canopy for depth and color.
- Shrubs and groundcovers shall be planted in masses under the trees in a creative manner to give a staggered effect and a create hierarchy of plant material.
- Undulating berms shall be incorporated into the buffer design.
- The pedestrian system shall be incorporated into the buffer design.



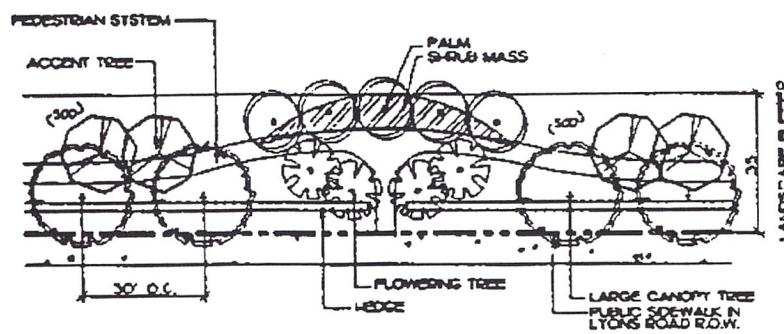
HYPOLUXO ROAD LANDSCAPE BUFFER
FIGURE 3.A.

B. Lyons Road Extension Buffer

The Lyons Road extension shall be integrated as part of the entrance procession. The landscaping and design of the streetscape/buffer areas will leave a strong impression of the character and quality of the development it represents.

The streetscape buffer along Lyons Road extension shall be a minimum of 35 feet in width and landscaped in accordance with the Palm Beach County guidelines, the West Boynton Area Plan, as well as Figure 3.B. below. While detailed landscape working drawings have not been prepared for this area, certain general guidelines have been developed.

- Canopy trees shall be provided adjacent to the road, spaced a maximum of 30' on center, in a formal style.
- Palms, accent trees, and flowering trees shall be incorporated into the design behind the formal canopy for depth and color.
- Shrubs and groundcovers shall be planted in masses under the trees in a creative manner to give a staggered effect and a hierarchy of plant material.
- Undulating berms shall be incorporated into the buffer design.
- The pedestrian system shall be incorporated into the buffer design.



LYONS ROAD LANDSCAPE BUFFER
FIGURE 3.B.

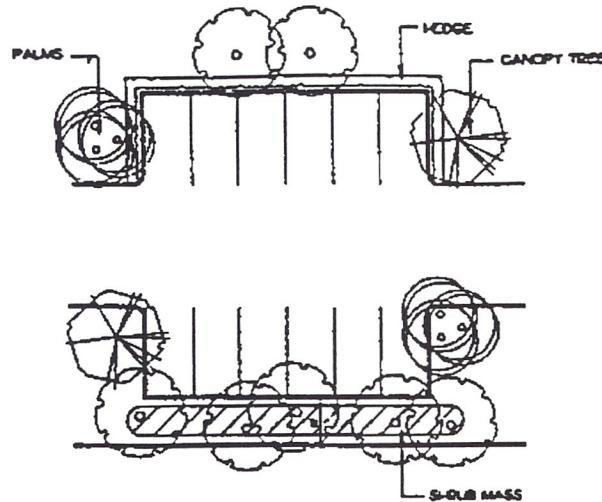
C. Buffering for Interior Circulation Routes

Street planting along interior circulation routes shall give definition to the various land use types, while expressing a common theme throughout.

D. Parking Area Landscaping

The following criteria and conceptual drawing (Figure 3.C. below) shall be met for parking areas, in addition to the Palm Beach County landscape requirements, to provide shade and break-up large paved areas.

- Large canopy shade trees shall be planted in all landscape islands and medians located within parking areas. Large canopy trees shall be selected for evergreen foliage and to avoid leaf litter. Species that produce excessive litter by fruit, flower, foliage, or weak wood shall not be utilized.
- Large canopy trees may be substituted by a cluster of three large palms. 80% of all trees must be canopy trees.
- 80% of all trees and palms shall be native.
- Shrubs shall be planted along the entire length of all required divider landscape medians in the parking areas. Shrubs shall be 2-3' in height and planted 24" on center. Safe sight distances shall be maintained.
- For ease of maintenance and reliable aesthetics, the balance of these areas and the terminal islands may be covered using a landscaping stone mulch. Landscaping stone shall be equal in quality to crimson stone #5 by Crimson Stone, Inc. Other surfaces may also be considered.



PARKING AREA LANDSCAPE
FIGURE 3.C.

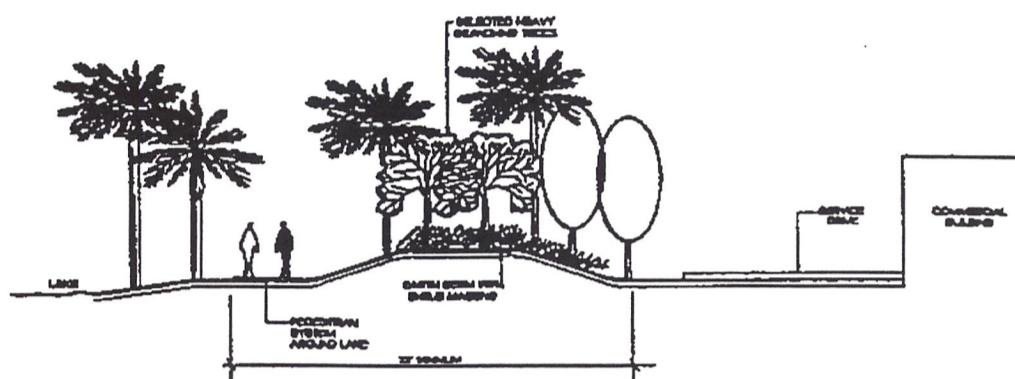
E. Interior Landscape Buffers for Incompatible Uses

Interior landscape buffers shall be required between uses to separate residential and non-residential areas. The purpose of these buffers is to screen the rear of all commercial buildings and their associated loading areas and trash receptacles, minimizing and eliminating any views from the residential parcel, as well as provide right-of-way, will be of foremost concern in the creation and design of these buffers. Interior landscape buffers shall include the following criteria and conceptual drawings (Figure 3.D. and Figure 3.E.):

- Buffer shall be a minimum of 25' wide.
- Native canopy trees 16' in height at a maximum of 20' on center shall be required as plantings for the buffer. Palms will also be utilized.
- Between non-residential and residential areas, shrubs shall be a minimum of 3' in height and planted 24" on center.
- Bemming is required along the length of the buffer to create visual interest and to screen the commercial uses.

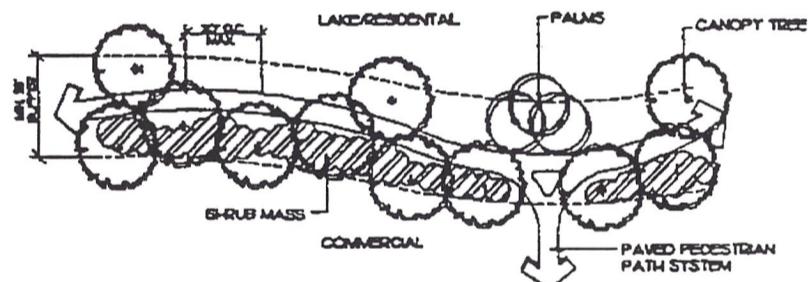
- Lake frontage plantings shall be specifically designed to accentuate lake lines and direct views away from the commercial parcel.
- The balance of area within these interior buffers shall be planted with sod or groundcover for ease of maintenance.
- Interior landscape buffers shall create natural swerving curves of vegetation. These buffers should have a natural appeal and remember: nature abhors a straight line.

FIGURE 3.D.



INTERIOR LANDSCAPE BUFFER CROSS-SECTION

FIGURE 3.E.

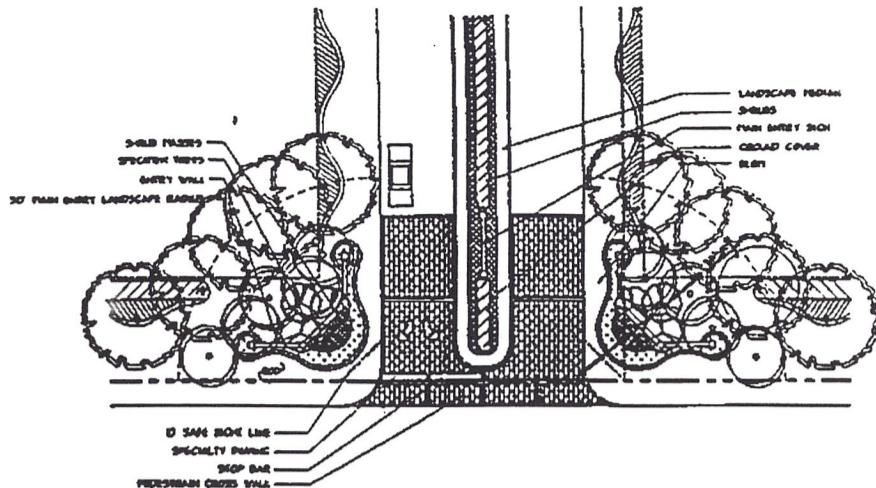


INTERIOR LANDSCAPE BUFFER DETAIL

SECTION 4: PROJECT ENTRANCE LANDSCAPE

Project entrance landscaping shall include the following criteria as well as Figure 4.A.

- All main entries shall have a median with landscaping and special paving. The entrance median shall have a minimum dimension of 20'. Secondary entries may or may not have a median.
- The area within a minimum of a 50' radius of the intersection of the right-of-way and main entry into the project shall be restricted for the use of accent planting. A 25' radius shall be utilized for secondary entries.
- Ten (10') foot sight triangles shall be provided at the intersection of the right-of-way line and all project entries.
- Berms shall be constructed within the entrance area and the maximum height shall be 3.0' for the main entrance and 2.5' for the secondary entrances above the crown of Lyons Road. The diameter of the berthing shall be the maximum permitted by the land configuration with a maximum slope of 4:1. The berm shall be designed to emphasize a sense of arrival, but not interfere with sight triangles.
- Tree and palms shall be planted in clusters along the slopes and crests of the berms. Specimen trees and palms shall be included in this planting area (i.e. Canary Island Date Palms) to help create a sense of arrival and provide either seasonal color or visual interest.
- Shrubs shall be planted in sweeping masses along the slopes of berms. Shrubs shall be 2' to 3' in height and installed 24" on center. Shrub plantings shall also be designed to give a layering effect and provide for a hierarchy of plant material.
- All areas not covered by trees or shrubs shall be covered by recommended ground covers. Ground covers shall be a combination of turf grass and low growing shrubs less than 1' in height.
- Annuals shall be used to give seasonal color and visual punch.



PROJECT ENTRANCE LANDSCAPE
FIGURE 4.A.

SECTION 5: LANDSCAPE GUIDELINES

A. Planting Categories

Three general categories of plant material shall be combined to provide a well-landscaped development: canopy, intermediate & ground plane. The importance of these categories in quality landscaping cannot be over-emphasized with respect to creating and maintaining the projected image.

1. Canopy Planting

Canopy trees and palms provide the basic vegetative framework for any landscape environment. Their existence, in both quality and size, provide the one element most essential for successful landscaping. Every encouragement is given to install trees as large as is feasible within developments. Major trees which are introduced shall be botanically consistent with those trees growing naturally within the immediate vicinity. Should lack of availability of native materials preclude their use, compatible plants of only one genus shall be introduced in large quantity to give appearance of native stands. Major trees shall be planted in natural, informal stands of varying numbers. Clustering of trees, rather than loose scattering, is preferred. Symmetrical plantings are not allowed.

Sizes and heights of introduced major trees should vary within groupings as much as availability of plant material will allow.

2. Intermediate Planting

Trees and other accent plants growing below the overhead canopy not only add visual interest and variety in form and color, but they should serve as screens, buffers, and directional elements within the landscape design. Groupings of minor trees may be used to give visual direction to vehicular or pedestrian circulation systems. Intermediate trees can soften the visual impact of, or add interest to, architectural elements. Where there are windows, trees may be planted to enhance views, and also to frame longer views. Minor trees may relate to architectural massing at corners, entry areas, etc., in either formal or natural groupings, depending upon the specific site plan conditions. Massing may be in natural groupings of the same genus, or in the case of outstanding specimen plants, a single tree may stand alone. Formal massing of minor trees may be used to screen parking or other unsightly site elements from second and third story residential units.

3. Ground Plane Planting

In addition to providing visual interest, planting on or near the ground plane may act as a screening or buffer device for unsightly site elements, or serve as pedestrian movement indicators. Planting of ground covers and/or shrubbery should be in large, simple masses of relatively few types of plants. Single shrubs or small clusters are not allowed. Massing may be architectonic or naturalistic, depending upon specific site plan conditions.

B. Plant Palette

A specific plant palette of acceptable landscape material and specifications is contained below. All landscape plans shall incorporate a minimum of 75% of materials specified in this palette. All plant material shall be Florida #1 or better according to the "Grades and Standards for Nursery Plants," Parts I and II. In other words, at least 1/3 of all plants used in landscaping will be either taller in height or bigger in diameter at breast height (dbh) than required by the County's landscape code.

LARGE TREES

COMMON NAME/ BOTANICAL NAME	MIN. HEIGHT	DROUGHT TOLERANT	MIN. SPREAD
GREEN BUTTONWOOD* <i>Conocarpus erectus</i>	12'	Very	6'
QUEEN'S CREPE MYRTLE <i>Lagerstroemia speciosa</i>	12'	Very	6'
SLASH PINE* <i>Pinus elliottii</i>	12'	Very	6'
LAUREL OAK* <i>Quercus laurifolia</i>	12'	Very	6'
LIVE OAK* <i>Quercus virginiana</i>	12'	Very	6'
MAHOGANY* <i>Swietenia mahogani</i>	12'	Very	6'
CHINESE ELM <i>Ulmus parvifolia 'drake'</i>	12'	Very	6'
PIGEON PLUM* <i>Clusia diversifolia</i>	12'	Very	6'
SEAGRAPE* <i>Clusia uvifera</i>	12'	Very	6'
DAHOON HOLLY <i>Ilex cassine</i>	12'	Very	6'
BOTTLEBRUSH <i>Callistemon Viminalis</i>	12'	Very	6'
ROYAL POINCIANA <i>Delonix regia</i>	12'	Very	6'
SOUTHERN MAGNOLIA <i>Magnolia grandiflora</i>	12'	Very	6'

SMALL TREES

COMMON NAME/ BOTANICAL NAME	MIN. HEIGHT	DROUGHT TOLERANT	MIN. SPREAD
SILVER BUTTONWOOD <i>Conocarpus erectus</i> var 'sericeus'	10'	Very	5'
CREPE MYRTLE <i>Lagerstroemia indica</i>	10'	Very	5'

TREE FORM LIGUSTRUM <i>Ligustrum japonicum</i>	10'	Very	5'
WAX MYRTLE* <i>Myrica cerifera</i>	10'	Very	5'
OLEANDER STANDARD <i>Nerium oleander</i>	10'	Very	5'
FRANGIPANI <i>Plumeria acuminata</i>	10'	Very	5'

LARGE PALMS

<u>COMMON NAME/ BOTANICAL NAME</u>	<u>MIN. HEIGHT</u>	<u>DROUGHT TOLERANT</u>
PAUROTIS PALM** <i>Acroelorrhaphis wrightii</i>	8'	Mod
ALEXANDER PALM** <i>Archontophoenix alexandrae</i>	8'	Very
CHINESE FAN PALM** <i>Livistonia chinensis</i>	8'	Very
MEDJOOL DATE PALM** <i>Phoenix 'medjool'</i>	8'	Very
SENEGAL DATE PALM** <i>Phoenix reclinata</i>	8'	Very
SOLITAIRE PALM** <i>Ptychosperma elegans</i>	8'	Very
ROYAL PALM** <i>Roystonea elata</i>	8'	Mod
SABAL PALM** <i>Sabal palmetto</i>	8'	Very
QUEEN PALM** <i>Syagrus romanzoffiana</i>	8'	Very
WASHINGTONIA PALM** <i>Washingtonia robusta</i>	8'	Very
COCONUT PALM <i>Cocos nucifera</i>	8'	Very

SMALL PALMS

COMMON NAME/ BOTANICAL NAME	MIN. HEIGHT	DROUGHT TOLERANT
PINDO PALM** <i>Butia capitata</i>	10'-15'	Very
EUROPEAN FAN PALM** <i>Chamaerops humilis</i>	5'-10'	Low
SILVER PALM** <i>Coccothrinax argentata</i>	10'-20'	Very
PYGMY DATE PALM <i>Phoenix roebellini</i>	5'	Mod
MAJESTY PALM <i>Ravenea glauca</i>	15'-20'	Low
NEEDLE PALM <i>Rhapidophyllum hystrix</i>	3'-5'	Mod
DWARF PALMETTO* <i>Sabal minor</i>	5'-7'	Very
SAW PALMETTO* <i>Serenoa repens</i>	6'-15'	Very
THATCH PALM* <i>Thrinax spp.</i>	15'-25'	Very
CHRISTMAS PALM** <i>Veitchia merrillii</i>	15'-20'	Very

SHRUBS

COMMON NAME/ BOTANICAL NAME	DROUGHT TOLERANT
COCOPLUM* <i>Chrysobalanus icaco</i>	Mod
SIMPSON'S STOPPER* <i>Myrcianthes fragans</i>	Very
WAX MYRTLE* <i>Myrica cerifera</i>	Very
WAX JASMINE <i>Jasmine volubile</i>	Mod
INDIAN HAWTHORN <i>Raphiolepis indica</i>	Low

IXORA 'NORA GRANT'	Very
Ixora 'Nora Grant'	
IXORA 'MAUI'	Very
Ixora 'Maui'	
CHALCAS EXOTICA	Mod
<i>Murraya paniculata</i>	
PITTOSPORUM	Mod
<i>Pittosporum tobira</i>	
PODOCARPUS	Mod
<i>Podocarpus nagi</i>	
YELLOW ALAMANDA	Mod
<i>Allamanda cathartica</i>	

GROUND COVERS

COMMON NAME/ BOTANICAL NAME	DROUGHT TOLERANT
BLUE DAZE	Mod
<i>Evolvulus glomerata</i>	
BUSH DAISY	Mod
<i>Gamolepis chrysanthemoides</i>	
DAYLILY	Very
<i>Hemerocallis spp.</i>	
DWARF YAUPOH HOLLY	Very
<i>Ilex vomitoria 'Shillings'</i>	
SHORE JUNIPER	Very
<i>Juniperus conferta</i>	
LANTANA	Very
<i>Lantana montevidensis</i>	
LIRIOPE	Low
<i>Liriope muscari</i>	
DWARF PITTOSPORUM	Mod
<i>Pittosporum 'Wheeler's dwarf'</i>	

*Denotes plants that are native to Florida

**Min. height denotes clear trunk.

SECTION 6: PUBLIC SPACES

All projects approved under the ~~Large Scale Multiple Use Overlay Land Use~~ Multiple Land Use Overlay designation shall provide a premium space for public and private gatherings. Public spaces shall be designated to be centrally located and to maximize views. Public open spaces surrounding the lake tract will contain gazebos with similar style and massing as those depicted in Figure 6.B., to provide coverage from the weather and encourage social interaction.

The Preliminary Concept Plan includes a community element at the intersection of Hypoluxo Road and Lyons Road. This community element shall be designed to include a plaza area, which is an integral component of the pedestrian path system. It could include a community building with a clock tower or bell tower (as depicted in Figure 6.A.). As this community element is separated from the commercial development by a lake tract, it will provide a focal point for the Town Commons project, as well as for the other surrounding residential developments. In that the Villages of Windsor PUD was approved with numerous private civic sites on the south side of Hypoluxo Road, incorporation of the community element in this location will create a "Town Commons feel" and essentially act as the "downtown" of this area. Overall, the project will have at least 3.7 acres of usable open space.

A. PEDESTRIAN ORIENTED ZONE (POZ)

As depicted on the conceptual master plan, the pedestrian oriented zone is located at the intersection of the spine road and entrances to the commercial high and commercial high office. It is to be designed to be a pedestrian –oriented environment that links all the land uses of the MLU. The POZ is to be designed as a usable open space that should enhance the functional integration of the entire MLU. This is accomplished by providing a scenic vista over the proposed lake together with pedestrian linkages for passive recreation opportunities. The POZ shall be designed in a manner that creates a focal point for the entire MLU with accent plantings, fountains, benches and shade structures (Figure 6.C&D). The pedestrian linkages into the POZ will be available from the retail across the spine road, the medical/professional office across the cul-de-sac and over a boardwalk from the residential low. Additional pedestrian access will be from walkways located along the spine road. There will be no vehicular access located within the POZ. A fountain located in the middle of the water retention area will provide a terminus for views coming from all major elements located within the POZ.

SECTION 7: SIGNAGE GUIDELINES

In addition to any Palm Beach County signage regulations the following guidelines shall also be met to provide a uniform appearance to the project as a whole. The signage system shall be designed to create an image and identity for both the commercial and residential areas which shall blend with the architecture of the site and complement its overall Town Commons theme.

A. Main Entry Signage

There shall be main entry signage located at each main entry on Hypoluxo and Lyons Road similar to the layout depicted in Figures 7.A., 7.B., and 7.C. A monument sign shall be located within the main entry median and will list the tenants of the site. Entry walls shall be located on each side of the main entry drives and will include the project's name, Town Commons, and address. These signs and walls will work together to help create a sense of entry into the project. They will be visible from the major circulation corridors leading to the project and will assist in directing traffic to the various components.

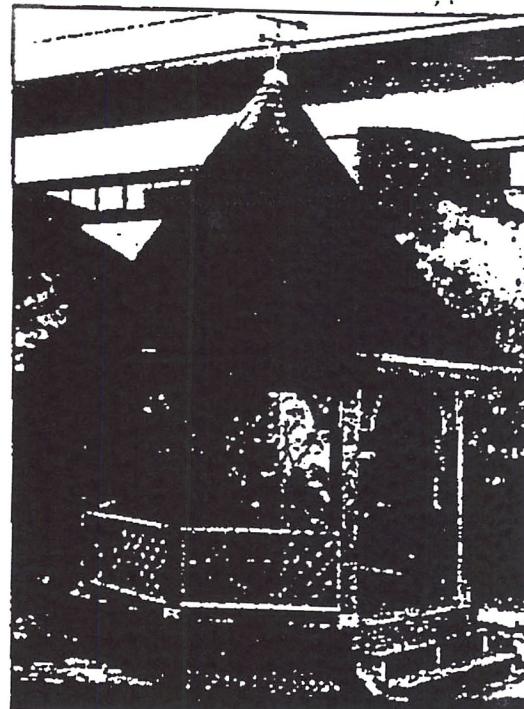
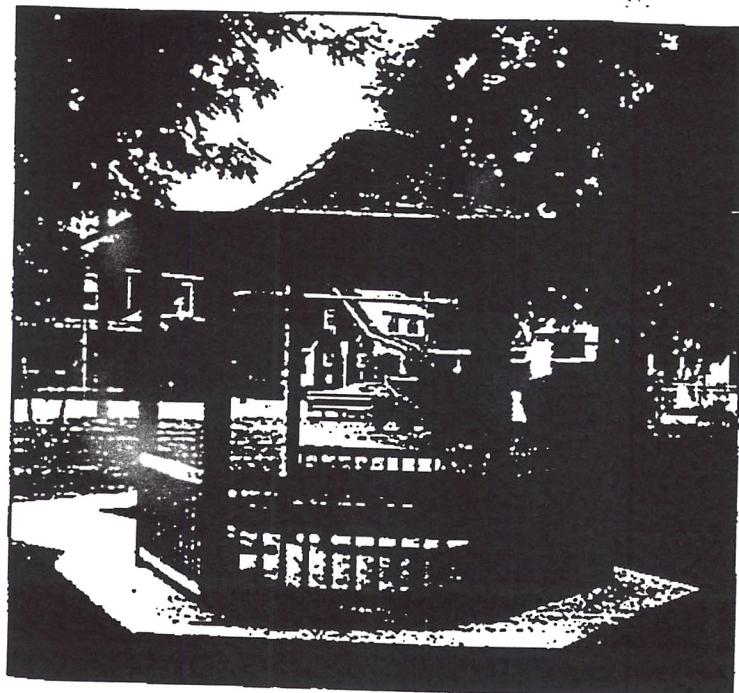
- The maximum height shall be 15' high.

FIGURE 6.A.

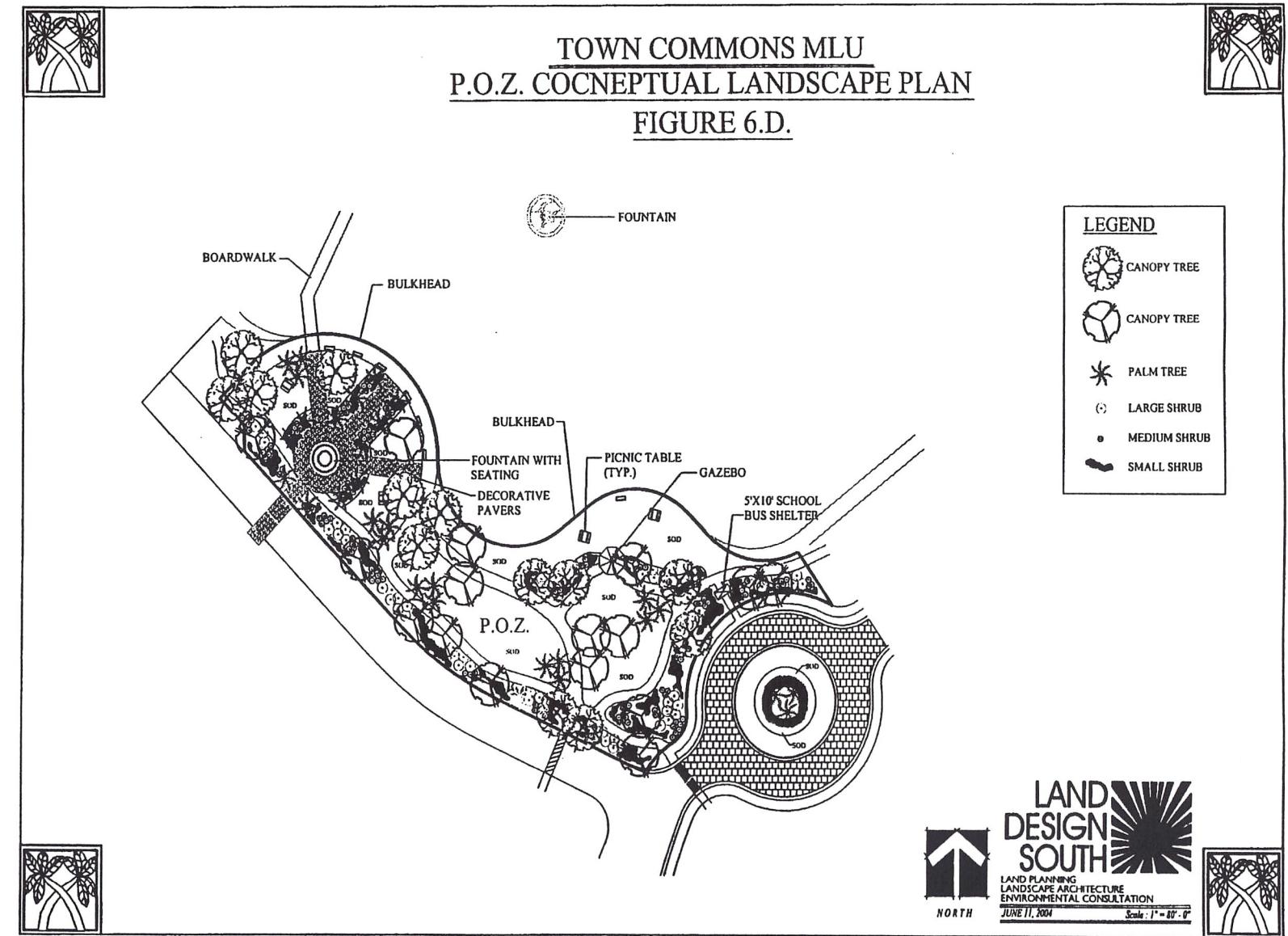


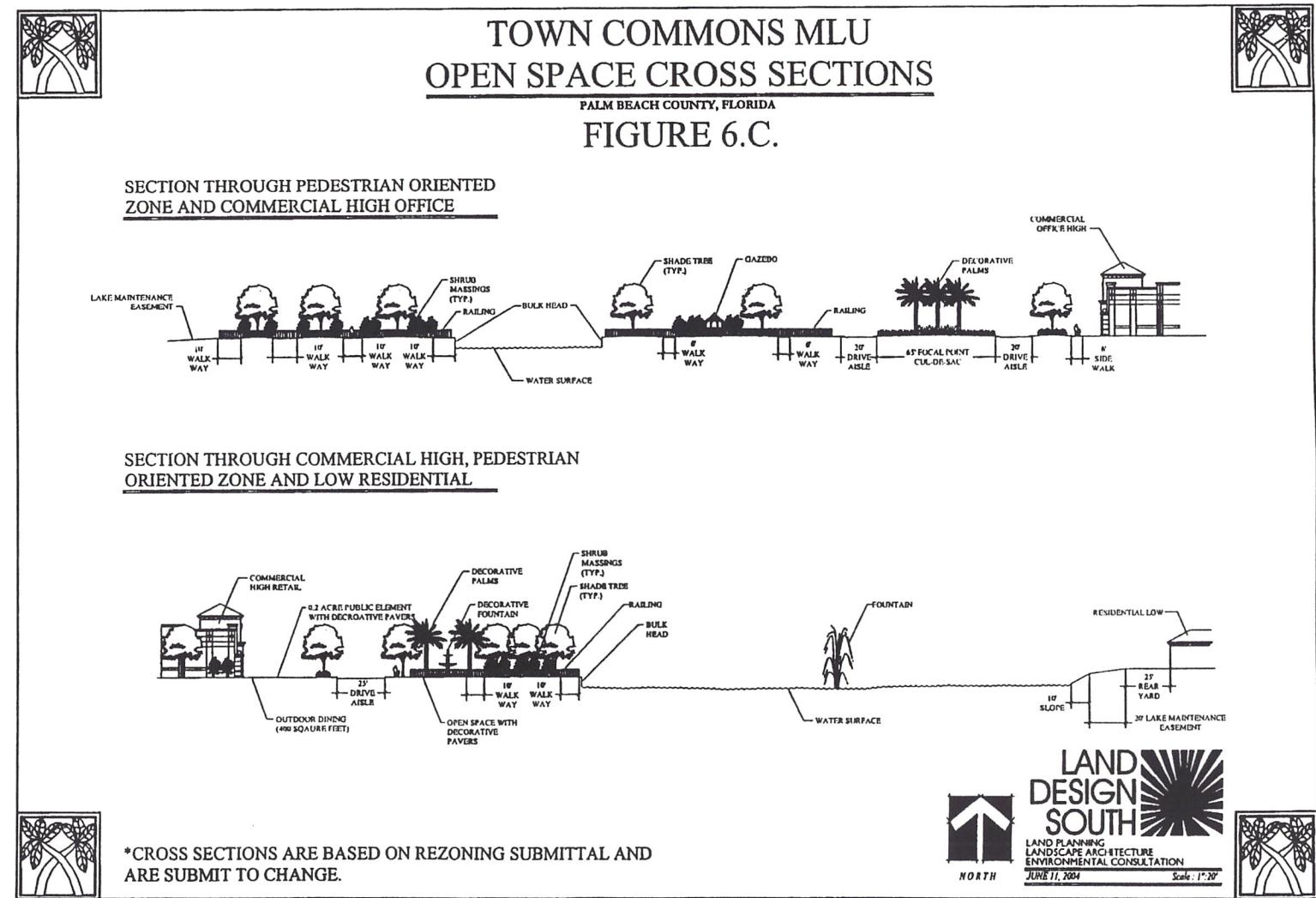
PUBLIC SPACE

FIGURE 6.B.

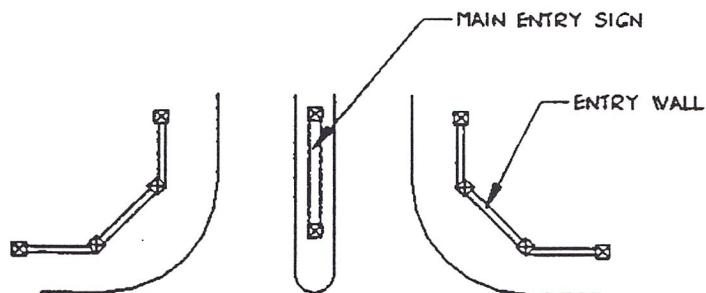


PUBLIC SPACE

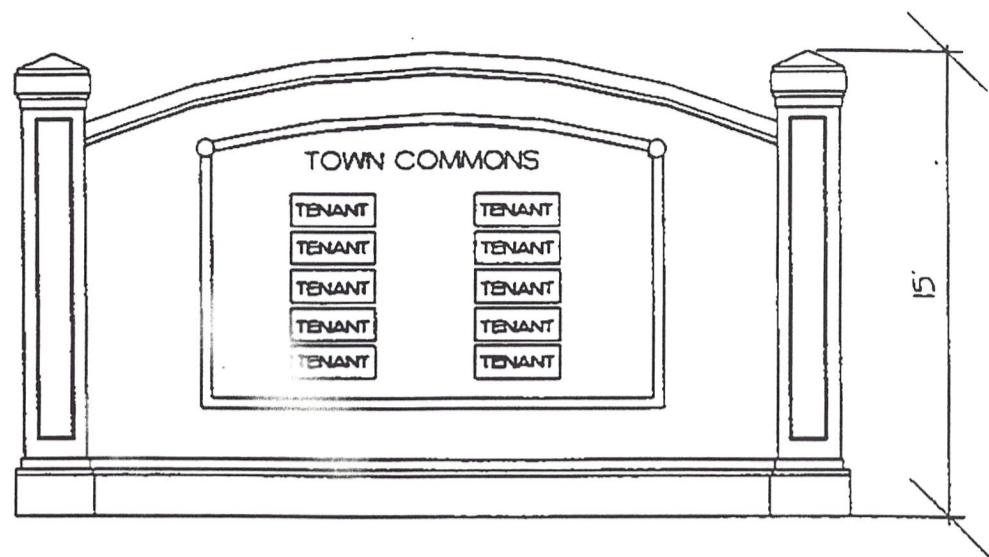




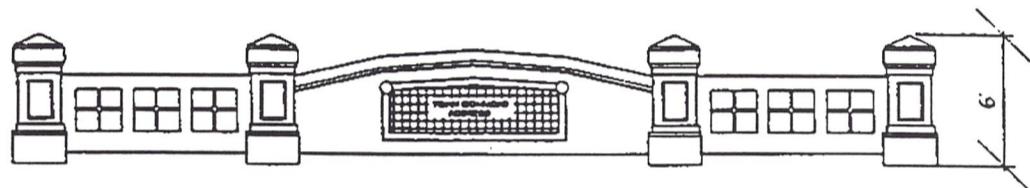
- The main entry signage shall be of the monument type.
- The use of solid stucco walls with cast stone accents is strongly encouraged. The colors shall be consistent with the architecture of the buildings of each parcel.



**MAIN ENTRY SIGN AND ENTRY WALL DETAIL
FIGURE 7.A.**



**MAIN ENTRY SIGN
FIGURE 7.B.**



**MAIN ENTRY WALL
FIGURE 7.C.**

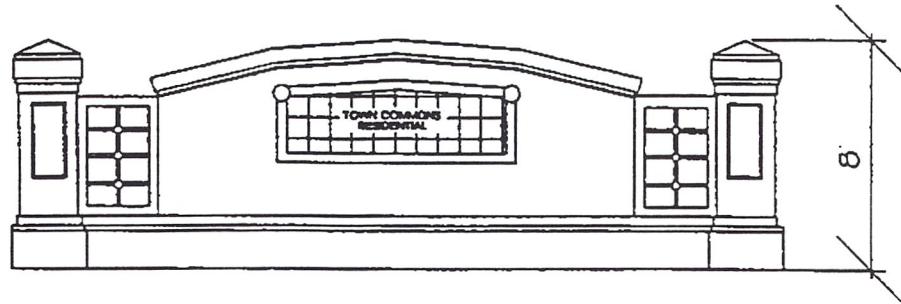
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Town Commons

B. Residential Entry Signage

Residential entry signs will be permitted for the residential parcel. These signs shall be architecturally consistent with those elsewhere on site as well as the architecture of the residential buildings. Pursuant to the Palm Beach County code requirements, these signs will be incorporated into a decorative signage wall including the projects name and the address.

- The main entry signage will be incorporated into a decorative wall.
- The use of solid stucco walls with cast stone accents is strongly encouraged. The colors shall be consistent with the architecture.
- The maximum height shall be 8' high.

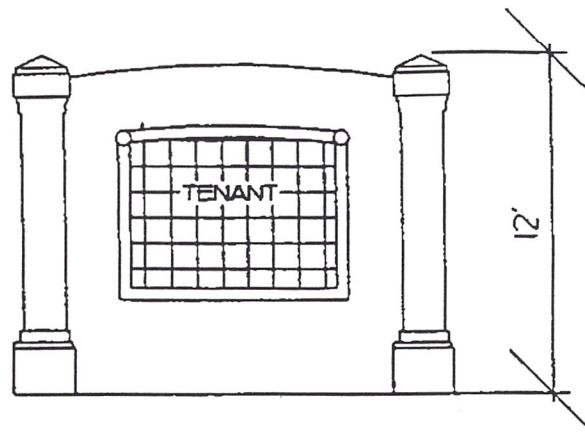


RESIDENTIAL ENTRY SIGN
FIGURE 7.D.

C. Point of Purchase Signage

Point of purchase signs will be used to identify individual tenants within the commercial and office parcels. The color and architectural treatments will be consistent overall and with the architecture of the parcel. These signs will include the individual tenant name only.

- The maximum height shall be 12' high.
- The point of purchase signage will be of the monument type
- The use of solid stucco walls with cast stone accents is strongly encouraged. The colors shall be consistent with the architecture.

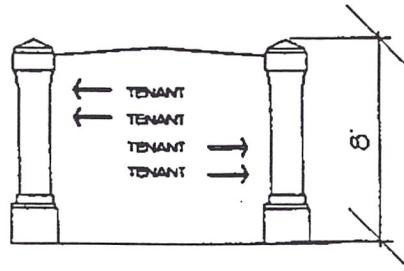


**POINT OF PURCHASE SIGN
FIGURE 7.E.**

D. Directional Signage

Directional signs will be incorporated along the spine roads throughout the site. These signs will give minor directional sequences to a specific type of use. These signs will be consistent in design with the other signs on site.

- The maximum height shall be 8' high.
- The directional signage will be of the monument type
- The use of solid stucco walls with cast stone accents is strongly encouraged. The colors shall be consistent with the architecture.

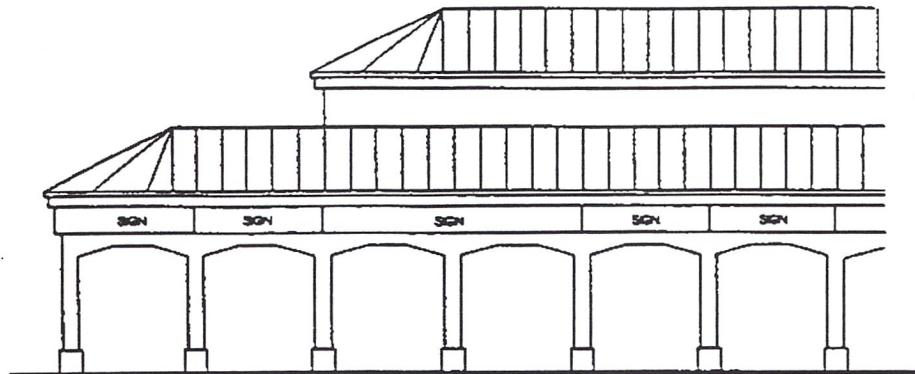


**DIRECTIONAL SIGN
FIGURE 7.F.**

Town Commons

E. Individual Business Signage

Individual business signs for the commercial and office parcels shall be incorporated into the architecture so that a uniform appearance is accomplished similar to what is depicted in Figure 7.G..



**INDIVIDUAL BUSINESS SIGNAGE
FIGURE 7.G.**

F. Sign Uniformity

The signage system must have a uniform theme so that as store names are replaced or revised, the system can adapt without compromising the overall theme.

G. Additional Requirements

Main entry signage and sign walls must be placed clear of required safe sight lines.

Signs shall not be directly painted on any wall, roof, or other structural element of the building.

Roof mounted signs are prohibited.

All signage material and finishes must be durable to last through long term use. Concrete, metals, and fiberglass are considered durable signage materials.

All freestanding signs shall be monument type. No pole signs are permitted.

SECTION 8: MISCELLANEOUS

A. Pedestrian Circulation

Major public entrances shall be located along arterial roads. Concrete sidewalks and swales (landscaped "strips" between sidewalks and roads) shall be installed along all portions of the site abutting a public right-of-way. Sidewalks to be constructed as part of any road expansion or improvement plan shall be credited towards this requirement. Sidewalks shall circumnavigate the entire site to facilitate pedestrian connectivity. All sidewalks shall be constructed to encourage bicycles to be used in lieu of automobile traffic.

Commercial areas shall provide public entrances located along the major roadways. A clearly designated pedestrian walkway shall be provided from public sidewalks to public entrances or walkways within a commercial site. To the extent feasible, pedestrian circulation shall be provided between abutting commercial properties through the use of designated walkways and similar pedestrian-oriented facilities. Designated multi-use walkway/bicycle paths allowing access to a commercial site for residents of abutting residential zoning districts shall be provided.

B. Pedestrian Waiting Areas

A minimum of one pedestrian waiting area shall be located within 300' of any building entry and shall be separate from all walkway thoroughfares. Adequate shelter, seating and lighting shall be provided, as well as a convenient drop-off zone. Such pedestrian areas shall be indicated on the Master Plan submitted at time of DRC.

C. Drop-Off Zones

Drop off zones shall be located as close to the main building entry as possible to provide direct vehicular connections between the site entry, parking and circulation. There shall be an area where no change in grade between roadway and the adjacent walkway is provided for barrier free access. Drop off zones shall be indicated on the Master Plan submitted at time of DRC.

D. Sight Triangle

A sight triangle shall be established to incorporate minimal stopping and turning sight distance at all intersections and entries. Sight triangles of no less than 25' shall be provided at all street intersections. (A special intersection safety triangle of 40' shall be provided at major intersections.)

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk and Comptroller
certify this to be a true and correct copy of the original
filed in my office on December 13, 2004
dated at West Palm Beach, FL on 1/25/05
By: Diane Brown
Deputy Clerk